UNITED STATES PATENT AND TRADEMARK OFFICE

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10/758,198	01/16/2004	Nobuyuki Tonegawa	00862.023404.	4895

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EXAMINER
RILEY, MARCUS T

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 June 2010_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _16 January 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _07/09/2008_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.　　A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 24, 2010 has been entered.

Response to Amendment

2.　　This office action is responsive to applicant's remarks received on June 24, 2010. **Claims 1-11** remain pending.

Response to Arguments

3.　　Applicant's arguments with respect to claim 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1, 2 & 6-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nagashima '202 (US 2002/0122202 A1 hereinafter, Nagashima '202) in combination with

Baharav et al. (US 6,751,352 hereinafter, Baharav '352).

Regarding claim 1; Nagashima '202 discloses an image processing apparatus (Fig. 1,

#1000) comprising: first input unit (Fig. 1, #1020) configured to input application data created by

predetermined application software (Fig. 3, Step S1, Page 4, Paragraph 0059);

second input unit (Fig. 1, #1030) configured to input print data (Fig. 3, Step S2, Page 4, Paragraphs

0059-0061 and Page 5, Paragraph 0063);

the print data being generated by converting the application data (i.e. The printer driver is a

program that processes printing data generated by an application or the like so that the printing data can be processed by a printer.

Page 4, Paragraph 0056);

registration unit (Fig. 2, #1073) configured to register both the application data and the print

data (Fig. 2, Registration Files A&B) generated from the application data in a database (Fig. 2, Information

Management DB) in correspondence with a specific index (i.e. Fig. 6 & 7 where Fig. 6 & 7 is a diagram showing

the structure of files stored in the registration file A & B respectively);

wherein the application data and the print data are registered in the database

simultaneously but individually (i.e. Fig. 2 shows two coversheet template registration files are stored in an

information management database DB. The coversheet includes print data and application data. Page 3, Paragraph 0032 and Page

5, Paragraph 0063);

a transmitting unit (Fig. 1, Cover Sheet Generating Section 1072) configured to transmit data to an external apparatus (i.e. Cover Sheet Generating Section generates data to be transmitted to the printing apparatus 2000 or 3000. Page 4, Paragraph 0058);

a printing unit (Fig. 1, Printers 2000 or 3000) configured to print an image on a sheet based on the print data (i.e. Printing data is generated with a coversheet and the generated printing data is printed by the printing apparatus 2000 or is transmitted to the printing apparatus 3000. Page 4, Paragraph 0058);

designation unit (Fig. 1, Printer Driver of Data Control Section 1070 - Not Shown) configured to designate said transmitting unit or said printing unit as an output method of data (i.e. The printer driver sends data to a designated address. The printer driver is a program that processes printing data generated by an application or the like so that the printing data can be processed by a printer. Page 4, Paragraph 0056);

and a selecting unit (Fig. 3, Step S4) configured to select the application data, but not the print data, corresponding to the specific index input by said index input unit in a case where the specific index is input by said index input unit said transmitting unit is designated by said designation unit, and to select the print data, but not the application data, corresponding to the specific index input by said index input unit in a case where said printing unit is designated by said designation unit; and (Figs. 5A & 5B Steps S500-S511, Page 6, Paragraphs 0072-0079);

a control unit (Fig. 1, Data Control Section 1070) configured to control said transmitting unit to transmit the application data when said selecting unit selects the application data, and to control said printing unit to print an image on a sheet based on the print data when said selecting unit selects the print data (i.e. Data Control Section 1070 controls Cover Sheet Generating Section 1072 that generates data to be transmitted to the printing apparatus 2000 or 3000. Page 4, Paragraph 0058; See also Fig. 3 Step S4 and Fig. 5 Steps S502 & S503, Page 6, Paragraph 0074).

Nagashima '202 as modified does not expressly disclose discloses a scanning unit configures to scan a printed material on which a predetermined code is printed index input unit configured to analyze the predetermined code, which is printed on the printed material, and to input the specific index corresponding to the analyzed predetermined code.

Baharav '352 discloses a scanning unit (Fig. 1, Scanner 40) configures to scan a printed material (Fig. 1, Hard Copy 38) on which a predetermined code (Fig. 1, "L1" on Hard copy 38) is printed (i.e. Scanner 40 scans the predetermined code "L1" on Hard copy 38. Column 3, line 62 thru Column 4, line 51).

index input unit (Fig. 1, Barcode System 10) configured to analyze the predetermined code, which is printed on the printed material, and to input the specific index corresponding to the analyzed predetermined code (i.e The scan engine 44 receives a hard copy (e.g., a hard copy 38 or 54 with a first VSBC (L1) or a second hard copy 56 with a second VSBC (L2)), generates an acquired version 48 (e.g. a scanned version) of the received hard copy, and provides the acquired version 48 to applications, such as decoding module 24. Column 3, line 62 thru Column 4, line 51);

Nagashima '202 and Baharav '352 are combinable because they are from same field of endeavor of image processing apparatuses (Baharav '352 at Fig.1).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify image processing unit as taught by Nagashima '202 by adding a scanning and index input unit as taught by Baharav '352. The motivation for doing so would have been to permit the scanning of data to be converted to readable form. Therefore, it would have been obvious to combine Nagashima '202 with Baharav '352 to obtain the invention as specified in claim 1.

Regarding claim 2; Nagashima '202 discloses wherein said printing unit prints an image obtained by synthesizing the predetermined code and the print data input by said second input unit (Figs. 5A & 5B Steps S500-S511, Page 6, Paragraphs 0072-0079);

Regarding claim 6; Nagashima '202 discloses wherein when the output method designated by said designation unit is printing by said printing unit (i.e. Data Control Section 1070 transmits data to printing apparatus 2000 or 3000 to be printed. Page 4, Paragraph 0058);

said selecting unit selects the print data and causes said printing unit to print an image based on the print data (Figs. 5A & 5B Steps S500-S511, Page 6, Paragraphs 0072-0079).

Regarding claim 7; Nagashima '202 discloses when the output method designated by said designation unit is transmission by said transmission unit, said selecting unit causes said transmission unit to transmit the application data (Fig. 3, Steps S1-Steps S7 i.e. Printing data is generated with a coversheet and the generated printing data is printed by the printing apparatus 2000 or is transmitted to the printing apparatus 3000. Page 4, Paragraph 0058).

Regarding claim 8; Nagashima '202 discloses where the database is constructed by a terminal connected via a network (i.e. Fig. 1 Communication Network 4000, Page 4, Paragraphs 0051-0054).

Regarding claim 9-11; Claims 9-11 contain substantially the same subject matter as claim 1. Therefore, claim 9-11 are rejected on the same grounds as claim 1.

6.   **Claims 3-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima '202 (US 2002/0122202 A1 hereinafter, Nagashima '202) in combination with Ett (US 5,227,893 hereinafter, Ett '893).

Regarding claim 3; Nagashima '202 as modified does not expressly disclose wherein the predetermined code is expressed by a barcode.

Ett '893 discloses where the information representing the index is expressed by a barcode (See Fig. 5 where Fig. 5 shows a flow diagram for the reception of a facsimile image which contains the indexing/routing information in pseudo code bar form.).

Nagashima '202 and Ett '893 are combinable because they are from same field of endeavor of image processing apparatuses (Ett '893 at *"Summary"*).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify image processing unit as taught by Nagashima '202 by adding where the information representing the index is expressed by a barcode as taught by Ett '893. The motivation for doing so would have been to permit the embedding of data needed for indexing, or further routing, within the image in machine readable form, which is transparent to the users. Therefore, it would have been obvious to combine Nagashima '202 with Ett '893 to obtain the invention as specified in claim 1.

Regarding claim 4; Ett '893 discloses where the predetermined code is expressed by a character string (i.e. Fig. 3 shows a typical string of bar codes in code 39, with a start character 78, data characters 80, a check data character 82, and a stop character 84. Column 6, lines 34-39).

Regarding claim 5; Ett '893 discloses where the predetermined code is expressed by each character spacing in a predetermined character string (i.e. Fig. 3 shows a typical string of bar codes in code 39, with a start character 78, data characters 80, a check data character 82, and a stop character 84. The start 78 and stop 84 characters are identical and contain information needed to define the widths of the bars and spaces in the ensuing code patterns. column 6, lines 34-39).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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